

## Minutes – November 13, 2014

The following members of the Board were present at the County Commissioners' Meeting Room, Charles County Government Building, for a regular hearing of the Board of License Commissioners: Pamela Smith, Chairman, Guy N. Black, William B. Young, and Steve Lowe. Thomasina Coates was excused. Also appearing in support of the Board were Associate County Attorney Matthew Clagett, and Lisa Bailey, Clerk/Recording Secretary.

1. Upon a motion made, duly seconded and unanimously carried, a temporary alcoholic beverage license application was approved for Forever Free Books, Inc., by: Vedia Barnett, for a 1-day temporary alcoholic beverage license to sell/serve BWL at their residence, White Plains, on December 6, 2014 from 6-9 PM for a charity fundraiser with approximately 30 people expected to attend.

2. The application filed on behalf of Paul D. Zicarelli, Brett P. Rainwater, Luke H. Mudd, Famous Dave's Ribs of Maryland, Inc., t/a Famous Dave's, 3046 Waldorf Market Place, Waldorf, MD 20603, for a transfer of the Class B - BWL(on sale) BLX Luxury Restaurant alcoholic beverage license from Christopher M. O'Donnell, John E. Spoon, Luke H. Mudd, Famous Dave's Ribs of Maryland, Inc., t/a Famous Dave's, 3046 Waldorf Market Place, Waldorf, MD 20603, was withdrawn by the applicant. Counsel to the applicant, Linda Carter, Esq. indicated in writing that they would re-file an amended application to be heard at a later time.

3. Show Cause in the matter of the Class A – Beer, Wine & Liquor (off sale) Package Goods alcoholic beverage license issued to Natverial Hirabhai Patel, Kudrat Corporation, t/a Pinefield Liquors, 12545 Mattawoman Drive, Waldorf, Maryland 20601, alleging illegal service to a minor on July 12, 2014. The licensee Natverial Hirabhai Patel, as well as the alleged servers, Dilipkumar Shankarlal Patel and Balaji Anne, appeared and were represented by Isaac McAdams, Esq. On behalf of his clients, Mr. McAdams acknowledged receipt of the Charges and Show Cause Order at least ten (10) days prior to the hearing and admitted to the allegation contained in the Show Cause Order. Testimony was presented by M/Cpl. Judith Thompson as to the contents of her police report. Further testimony was presented by the licensee and the servers as to the mitigating circumstances involved in this sale, and their previous compliance records and current training policies. Upon consideration of the testimony and evidence presented, and upon a motion duly made, seconded and unanimously carried, the Board ordered that the alcoholic beverage license be suspended for a period of three days, with two of the three days held in abeyance for three years. The suspension is to begin at opening of business on Monday, November 17, and end at close of business on Monday, November 17, 2014; and, it was further ordered, that the licensee, Natverial Hirabhai Patel, be fined Five Hundred Dollars (\$500.00), made payable to the Charles County Treasurer and delivered to the Board of License Commissioners before reinstatement of the alcoholic beverage license; and that the servers, Dilipkumar Shankarlal Patel and Balaji Anne, each be fined Fifty Dollars (\$50.00), made payable to the Charles County Treasurer and delivered to the Board of License Commissioners within 30-days of the date of the written Order.

4. The Clerk provided a legislative update regarding the Board's proposed annual fee increase which included a fiscal note/justification from the County Department of Fiscal and Administrative Services. The Board further agreed to support the Delegation's proposal to introduce legislation to allow "Growlers" in Charles County.

5. The following licensed premises were approved for seasonal closings for 2014/2015 Winter season: Gilligan's Pier Rest, LLC; closed November 10 through March, 2015 (except Feb. 15); Captain Billy's Crab House – Closed November 8 through March, 2015; Grinder's Seafood – Closed November 16 through April 16, 2015.

6. The clerk advised that Chun Tai Liu, t/a Café China, had vacated the licensed premises and turned in their alcoholic beverage license on November 10, 2014

7. Upon a motion duly made, seconded and unanimously carried, the Board approved the Minutes of the September 11, 2014 hearing.

8. M/Cpl. Judith Thompson advised that twenty-one compliance checks were conducted since the July hearing, and the following places passed the compliance check. The establishments which passed in July had not been previously mentioned during hearings, and M/Cpl. Thompson wanted to give them the proper acknowledgement of their successful completion of the compliance check.

#### **July checks**

1. Wine Cellar, Waldorf
2. Ray's Pier, Benedict
3. River's Edge Restaurant, Benedict
4. Colonial Liquors, La Plata (Drive-In)
5. Aqualand Marina Ship's Store Newburg
6. Jimmie's Liquors, Hughesville
7. Café China, Waldorf
8. Centerplate (Regency Stadium), Waldorf
9. Westlake Liquors, Waldorf
10. Plaza Liquors, Waldorf (Drive-In)

#### **October checks**

1. Moreland's Produce & Market, Waldorf
2. Texas Ribs/BBQ, Waldorf (Recheck)
3. Cheers, Waldorf
4. Red Robin, Waldorf
5. Foster Grille, Waldorf
6. VFW-Post 8810, Waldorf
7. Willett's Discount Liquor & Deli, White Plains (Drive-In) (Recheck)
8. Ironsides Store, Ironsides

9. The Chairman called for an election to fill the vice-chairman position. Upon a motion duly made by Guy Black, and seconded by Steve Lowe, William B. Young was unanimously elected to fill the vacant vice-chairman position.

10. Upon a motion duly made, seconded and unanimously carried, the Board moved to approve the September 11, 2014 Minutes as submitted.

11. Upon a motion duly made, seconded and unanimously carried the Board went in to closed session in accordance with State Government Article, Section 10-508(a)(7) to consult with counsel to obtain legal advice on a legal matter; and Section 10-508(a)(8) to consult with staff, consultants, or other individuals about pending or potential litigation, in the matter of the alcoholic beverage license of Sutasinee Thana, et al., t/a Thai Seafood.

12. With no further business the meeting adjourned at 11:35 a.m. The next meeting is scheduled for December 11, 2014.